

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

958 AVENUE OF THE AMERICAS, LLC,

Plaintiff,

-against-

ABASIC, S.A., NTS W. USA, CORP. D/B/A
DESIGUAL,

Defendants.

Case No. 21-cv-10348-JPO

JUDGMENT

WHEREAS, by Opinion and Order dated September 29, 2023 [ECF Doc. No. 60], the Court granted the motion for summary judgment of Plaintiff, 958 Avenue of the Americas, LLC (ECF No. 35), with respect to its first, second, and fourth causes of action and denied the motion for partial summary judgment of Defendants, NTS W. USA, Corp. d/b/a Desigual and ABASIC, S.A., f/k/a ABASIC, S.L. (ECF No. 41), with respect to their first, second, third, fourth, fifth, and sixth defenses;

WHEREAS, the Court also directed the parties to file supplemental letter briefs with a proposed order regarding the amount of damages, attorney's fees, and issues related to indemnification pursuant to the Sublease; and

WHEREAS, by Memorandum and Order dated May 22, 2024 [ECF Doc. No. 75], the Court denied Defendants' motion for reconsideration (ECF No. 61) and ruled on the amount of damages, attorney's fees, and issues related to indemnification pursuant to the Sublease;

IT IS HEREBY ORDERED and ADJUDGED, that Judgment is entered in favor of Plaintiff, 958 Avenue of the Americas, LLC, with address c/o JTRE, LLC, 362 Fifth Avenue, 12th Floor, New York, New York 10001, and against defendant ABASIC, S.A., with address at Passeig

Del Mare Nostrum 15, 08039, Barcelona, Spain, and against NTS W. USA CORP. with an address at c/o Corporation Service Company, 80 State Street, Albany, New York 12207, jointly and severally, in the sum certain amount of \$1,541,916.85, together with pre-judgment interest in the amount of \$274,186.62, and attorney's fees in the amount of \$101,445.00, for a total Judgment in the amount of \$1,917,548.47, and costs and disbursements as taxed by the clerk; with post-judgment interest on the Judgment at the federal judgment interest rate pursuant to 28 U.S.C. 1961. ***Upon entry of judgment, the Clerk shall close this case.***

SO ORDERED. _____

Dated: June 24, 2024

New York, New York



J. PAUL OETKEN
United States District Judge